

Appl. No. 10/621,630
Reply to Office Action of March 5, 2004

REMARKS/ARGUMENTS

A new ABSTRACT is attached as required.

The claims are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 respectively of USP 6,603,947. To avoid this rejection, the claims are amended to more clearly distinguish from the invention that is claimed in USP 6,603,947.

More specifically, claim 1 is amended to require a heat applying fixing belt as the heating member. Also required is a heat applying source for heating the heat applying fixing belt. The language in the last few lines has also been clarified.

Two new claims, 12 and 13, are added directed to embodiments with respect to the fixing belt and the pressure applying body.

Although the present claims follow the language in USP 6,603,947, the claims are directed to a device which, rather than using a "rotary body" uses a fixing belt as defined in claim 1. In view thereof, withdrawal of the double patenting

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No. 2468 P. 10/11

From: CHICK

Appl. No. 10/621,630
Reply to Office Action of March 5, 2004

rejection is respectfully requested. As there are no other art-related rejections, allowance of the application is respectfully requested.

Frishauf, Holtz, Goodman
& Chick, P.C.
767 Third Ave., 25th Floor
New York, NY 10017-2023
Tel. No. (212) 319-4900
Fax No.: (212) 319-5101
MJC/lb

Respectfully submitted,

MARSHALL J. CHICK
Reg. No. 26,853

Enc. Replacement page for ABSTRACT OF THE DISCLOSURE.

Appl. No. 10/621,630
Reply to Office Action of March 5, 2004

ABSTRACT OF THE DISCLOSURE

A fixing device for use in an image forming apparatus capable of forming both-side images on a sheet by using a sheet reversing and conveying device. The fixing device has a heat applying rotary body with an elastic layer made of rubber and a toner releasing layer on top thereof, for coming into contact with and heating a side bearing an unfixed toner image of transfer sheet; a pressure applying rotary body with an elastic layer made of rubber and a toner releasing layer on top thereof, for fixing and conveying the transfer material by coming into pressure contact and rotating with the heat applying rotary body; a drive source for driving one of the rotary bodies; and a heat applying source for heating one of the rotary bodies. The pressure applying rotary body has a micro-hardness smaller than that of the heat applying rotary body.